

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

KAYLA ROBINSON,

PLAINTIFF,

v.

**CITY OF ST. LOUIS, ANGELA HAWKINS,
KELLI SWINTON, LAWRENCE O'TOOLE,
& COLONEL D. SAMUEL DOTSON, III,**

DEFENDANTS.

Cause No.

NOTICE OF REMOVAL TO FEDERAL COURT

Defendant City of St. Louis ("City") notifies this Court of the removal of *Robinson v. City of St. Louis, et al.*, Cause No. 1622-CC11297, from the 22nd Judicial Circuit Court of Missouri, to the U.S. District Court for the Eastern District of Missouri. As grounds for removal, City states:

1. On November 15, 2016, Plaintiff Kayla Robinson ("Plaintiff") filed a six-count lawsuit against these Defendants in the 22nd Judicial Circuit Court of Missouri, styled as *Robinson v. City of St. Louis, et al.*, Cause No. 1622-CC11297.
2. All six counts of Plaintiff's Petition allege the Defendants violated Plaintiff's rights secured by the Fourth or Fourteenth Amendments to the United States Constitution in violation of 42 U.S.C. § 1983. Petition, pp. 12-25.
3. On December 28, 2016, Plaintiff effected service on all Defendants.
4. Counsel for City has conferred with counsel for Defendants Hawkins, Swinton, O'Toole, and Dotson; all Defendants consent to this removal.
5. City files this notice within thirty days after service, making removal timely under 28 U.S.C. § 1446(b) and *Murphy Brothers, Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 354-355 (1999).
6. Pursuant to Local Rule 2.03 a copy of all process, pleadings, orders and other documents on file in state court are attached as Exhibit A.

7. Venue is proper in this District under 28 U.S.C. § 1441(a), because this District and Division embrace the place in which the removed action has been pending.

8. Plaintiff's claims in all counts of her state-court Petition unequivocally implicate federal constitutional rights and federal statutory rights, thus this Court has original jurisdiction under 28 U.S.C. § 1331.

9. City concurrently submits the filing fee in the amount of \$400.00 and the proof of filing the notice of removal with the Clerk and State court.

WHEREFORE, Defendant petitions this Court for removal of *Robinson v. City of St. Louis, et al.*, Cause No. 1622-CC11297, from the 22nd Judicial Circuit Court of Missouri, to this Court for all further proceedings.

Respectfully submitted,
MICHAEL A. GARVIN,
CITY COUNSELOR

/s/ J. Brent Dulle #59705MO
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CERTIFICATE OF SERVICE

I hereby certify this Notice was electronically filed with the Court for service through the electronic filing system and also sent via email to: Jeremy Hollingshead, HOLLINGSHEAD, PAULUS, ECCHER & FRY, Attorney for Plaintiff, j.hollingshead@hpelaw.com, on January 11, 2017.

/s/ J. Brent Dulle